

HOUSE BILL No. 1037

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-8-10.5.

Synopsis: Officeholder qualifications. Prohibits a county, city, or town employee from being a candidate for or serving on the legislative or fiscal body of the county, city, or town that employs the employee. Allows a county, city, or town employee serving on a fiscal or legislative body on July 1, 2010, to serve the remainder of the member's term.

Effective: July 1, 2010.

Saunders

January 5, 2010, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1037

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-1-8-10.5, AS AMENDED BY P.L.1-2005,
2 SECTION 231, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: Sec. 10.5. (a) This section does not
4 apply to the following:

5 (1) An elected or appointed officer.

6 (2) An individual described in IC 20-26-4-11.

7 (b) **Except as provided in subsection (c)**, an employee of a
8 political subdivision may:

9 (1) be a candidate for any elected office and serve in that office if
10 elected; or

11 (2) be appointed to any office and serve in that office if appointed;
12 without having to resign as an employee of the political subdivision.

13 (c) **An employee of a county, city, or town may not be a**
14 **candidate for membership on or serve as a member of the**
15 **legislative or fiscal body of the county, city, or town that employs**
16 **the employee unless the employee resigns as an employee of the**
17 **county, city, or town.**



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1 (d) Notwithstanding subsection (c), a person who, on July 1,
2 2010, is:

3 (1) an employee of a county, city, or town; and

4 (2) a member of the fiscal or legislative body of the county,
5 city, or town that employs the person;

6 is entitled to serve as a member of the fiscal or legislative body
7 through the remainder of the member's term without having to
8 resign as an employee of the county, city, or town. This subsection
9 expires July 1, 2014.

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